



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

December 31, 2010

Ms. Kinde Durkee

Treasurer

Democratic Foundation of Orange County Voter Guide

Redacted

Re: Warning Letter

Re: FPPC No. 10/1071; Democratic Foundation of Orange County Voter Guide

Dear Ms. Durkee:

The Fair Political Practices Commission ("FPPC") enforces the provisions of the Political Reform Act ("Act"),¹ found in Government Code section 81000, et seq. This letter is in response to a non-filer referral by your filing officer that alleged you failed to electronically file a semiannual campaign disclosure statement.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you failed to electronically file a semi-annual campaign statement for the following period:

January 1, 2010 through June 30, 2010 due August 2, 2010.

The Act requires that committees file campaign statements at periodic intervals. (Gov. Code § 84200.) Additionally, the Act provides that slate mailer organizations shall electronically file semiannual statements when cumulative payments received or made for the purposes of producing slate mailers of fifty thousand dollars (\$50,000) or more. (Gov. Code § 84605(c).)

Your actions violated the Act because you failed to electronically file the semiannual campaign statement noted above by the specified deadline. You must immediately electronically file this campaign statement with the Secretary of State.

¹ The Political Reform Act is contained in Government Code sections 81000 through 92014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation. We are closing this matter with a warning letter because you filed the paper version in a timely manner.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Although the FPPC is not seeking a penalty in the current matter, you are still responsible for any late filing fees assessed by your filing officer. (Gov. Code § 91013.)

The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at 1-866-275-3772. Please also visit our website at www.fppc.ca.gov.

Please feel free to contact Teri Rindahl at (916) 327-2018 with any questions you may have regarding this letter.

Sincerely,

Redacted


Gary S. Winuk
Chief, Enforcement Division

GSW/tr